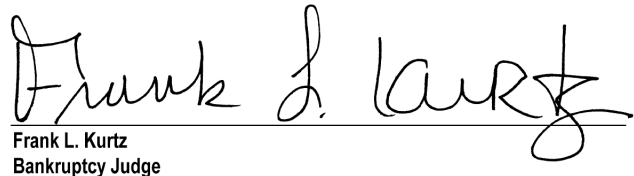


1
2 **So Ordered.**



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Frank L. Kurtz
Bankruptcy Judge

Dated: April 15th, 2014

RCO Legal, P.S.

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Honorable Judge Frank L Kurtz
Chapter 13
Hearing Location: Yakima
Hearing Date: April 2, 2014
Hearing Time: 9:00 a.m.

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT YAKIMA

IN RE:

AARON JAMES HILL AND
ROXANNE LYNN HILL

Debtors.

CHAPTER 13 BANKRUPTCY

NO.: 11-05965-FLK13

**STIPULATED ORDER CONDITIONING STAY
AS TO FLAGSTAR BANK, FSB**

THIS MATTER was set to come before the Court on April 2, 2014 for hearing on Flagstar Bank, FSB 's ("Creditor") Motion for Relief from Stay. The Court having reviewed the files and records and finding that the parties, the Creditor, through its attorney Michelle R. Riel and the debtors, and Aaron James Hill and Roxanne Lynn Hill, ("Debtor" collectively hereafter) through their attorney Robert McMillen stipulate and agree to entry of this order, NOW THEREFORE, IT IS HEREBY:

1 ORDERED that the stay existing pursuant to 11 U.S.C. § 362(a) as to the property located at
2 2003 W 30th Pl, Kennewick, Washington 99337-3168 and legally described in the Deed of Trust
3 attached as an exhibit to the original motion for relief shall remain in effect as to Creditor subject to
4 the following conditions:

5 1. The Debtor shall resume monthly mortgage payments due Creditor and through the Chapter
6 13 Trustee immediately beginning with the April 2014 payment and continuing each month thereafter
7 as due.

8 2. The Debtor stipulates to a post-petition arrearage of \$16,020.88. This amount is comprised
9 of monthly payments of \$1,338.74 for the months of April 2013 through and including March 2014,
10 NSF fees in the amount of \$20.00, attorney fees and costs in the amount of \$1,551.00, and less
11 suspense in the amount of \$1,615.00.

12 3. To cure the accumulated arrears, Debtor has filed a Modification of Plan (Doc. 79)
13 providing for payment of the monthly mortgage payments and cure of the post-petition default through
14 the Chapter 13 Trustee over the remaining life of the Plan.

15 4. If it becomes necessary in the future, Debtor shall either increase monthly Plan
16 payments or submit a modified plan that provides for treatment of Creditor's claim and trustee fees
17 consistent with the terms of this Stipulated Order.

18 IT IS FURTHER ORDERED that should the Debtor fail to resume and keep current the
19 monthly payments or fail to cure the arrears as provided, Creditor shall provide written notice of the
20 default to the Debtor and the Debtor's attorney. The Debtor will then have 20 days from the date the
21 written notice was mailed or delivered to the Debtor and the Debtor's attorney to bring the required
22 payments current, including payments falling due after the date of the notice.

23 IT IS FURTHER ORDERED that if Debtor fails to cure the default as outlined in the notice,
24 then Creditor shall be entitled to submit an order terminating the automatic stay supported by a
25 certificate of non-compliance and copy of the mailed written notice of default.

26 IT IS FURTHER ORDERED that upon the third default of this Stipulated Order, Creditor shall
be entitled to submit an *ex parte* order terminating the automatic stay without further notice to the
debtor or the debtor's attorney.

1 IT IS FURTHER ORDERED that the terms of this order shall be effective and bind the Debtor
2 regardless of the terms of any subsequently filed Chapter 13 plan of reorganization in this case.

3 IT IS FURTHER ORDERED that Creditor may amend its proof of claim to recover the fees
4 and costs for bringing its motion together with any accrued post-petition costs or charges not cured by
5 the terms of this order.

6 /// End of Order ///

7 Presented by:

8 /s/ Michelle R Riel

9 Michelle R Riel, WSBA #42090
10 Attorney for Flagstar Bank, FSB

11 Approved as to form and content;
12 Notice of presentation waived:

13 /s/ Robert McMillen

14 Robert McMillen, WSBA #29831
15 Attorney for Debtors

16 /s/ Daniel H. Brunner

17 Daniel H. Brunner
18 Chapter 13 Trustee
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